

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

UNITED STATES OF AMERICA *ex rel.*  
CORI RIGSBY and KERRI RIGSBY,

RELATORS/COUNTER-DEFENDANTS

v.

CASE NO. 1:06-cv-433-HSO-RHW

STATE FARM FIRE & CASUALTY  
COMPANY,

DEFENDANTS/COUNTER-PLAINTIFFS

**RELATORS' OPPOSITION TO STATE FARM'S MOTION TO DISMISS**

Relators Cori Rigbsby and Kerri Rigbsby (the "Rigsbys") submit this Response in Opposition to State Farm Fire & Casualty Co.'s ("State Farm") Motion to Dismiss the Rigsbys' Second Amended Complaint [ECF No. 1632]. In support thereof, the Rigsbys would show:

1. The Second Amended Complaint's ("SAC") [ECF No. 1623] false certification allegations relate back to the Rigsbys' original Complaint [ECF No. 2].
2. The Rigsbys have alleged State Farm's false certifications of compliance with FEMA's requirement for line-by-line damage estimates adequately.
3. The Rigsbys sufficiently alleged and proved the materiality of FEMA's line-by-line requirement for Category 3 homes and State Farm's scienter in violating it.
4. The Rigsbys have satisfied their pleading obligations for Count II.
5. The Rigsbys' claims about the scope of State Farm's fraud are appropriate.
6. The SAC complies with all applicable pleading requirements.
7. In further support hereof, the Rigsbys incorporate by reference their concurrently filed memorandum of authorities.

WHEREFORE, the Rigsbys respectfully request that this Court deny State Farm's motion in its entirety.

Respectfully submitted on this 15th day of July, 2020.

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**CERTIFICATE OF SERVICE**

I, August J. Matteis, Jr., attorney for Cori Rigsby and Kerri Rigsby, do hereby certify that I have this 15th day of July, 2020, caused the foregoing document to be filed with the Court's CM/ECF system, which will cause notice to be delivered to all counsel of record.

/s/August J. Matteis, Jr.

August J. Matteis, Jr.